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05 UNITED STATES DISTRICT COURT  
06 WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

07 UNITED STATES OF AMERICA, )  
08 Plaintiff, ) Case No. CR06-431-RSM  
09 v. ) SUMMARY REPORT OF U.S.  
10 ROY CHANNING MITCHELL ) MAGISTRATE JUDGE AS TO  
11 Defendant. ) ALLEGED VIOLATIONS  
OF SUPERVISED RELEASE  
12

13 An initial hearing on a petition for violation of supervised release was held before the  
14 undersigned Magistrate Judge on October 27, 2008. The United States was represented by  
15 Assistant United States Attorney Lisca Borichewski, and the defendant by Jeffrey Steinborn.

16 The defendant had been charged and convicted of Interstate Travel in Aid of  
17 Racketeering, in violation of 18 U.S.C. § 1952(a)(3)(A). On or about May 25, 2007,  
18 defendant was sentenced by the Honorable Ricardo S. Martinez to a term of twelve (12)  
19 months, one (1) day in custody, to be followed by three (3) years of supervised release.

20 The conditions of supervised release included the requirements that the defendant  
21 comply with all local, state, and federal laws, and with the standard conditions. Special  
22 conditions imposed included, but were not limited to, participate in substance abuse and  
23 mental health programs, financial disclosure, and submit to search.

24 In a Petition for Warrant or Summons, dated September 19, 2008, U.S. Probation  
25 Officer Brian K. Facklam asserted the following violation by defendant of the conditions of  
26 his supervised release:

SUMMARY REPORT OF U.S. MAGISTRATE  
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01 (1) Committing the crimes of driving under the influence (alcohol), and assault  
02 4th degree on or about August 18, 2008, in violation of the general condition  
03 that he commit no more federal, state, or local crimes.


04 (2) Drinking alcohol on or about August 18, 2008, in violation of the special  
05 condition requiring that he abstain from the use of alcohol.

06 The defendant was advised of his rights, acknowledged those rights, and admitted to  
07 the alleged violations 1, as amended, and 2.

08 I therefore recommend that the Court find the defendant to have violated the terms  
09 and conditions of his supervised release as to violation numbers 1 and 2, and that the Court  
10 conduct a hearing limited to disposition. A disposition hearing on violation numbers 1 and 2  
11 has been set before the Honorable Ricardo S. Martinez on November 14, 2008 at 10:30 a.m.

12 Pending a final determination by the Court, the defendant has been released, subject  
13 to supervision.

14 DATED this 27th day of October, 2008.

15   
16 JAMES P. DONOHUE  
17 United States Magistrate Judge  
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19 cc: District Judge: Honorable Ricardo S. Martinez  
20 AUSA: Ms. Lisca Borichewski  
21 Defendant's attorney: Mr. Jeffrey Steinborn  
22 Probation officer: Mr. Brian K. Facklam  
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